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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/634,755	08/08/2000	Ronald Coleman	CIT10168	4348
27510	7590	02/16/2006	EXAMINER	
KILPATRICK STOCKTON LLP			WINTER, JOHN M	
607 14TH STREET, N.W.			ART UNIT	
WASHINGTON, DC 20005			PAPER NUMBER	
			3621	

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/634,755	COLEMAN ET AL.	
	Examiner	Art Unit	
	John M. Winter	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14 and 15 is/are allowed.
- 6) ☒ Claim(s) 11, 16-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claims 11-20 are pending.

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Response to Arguments

The Applicants arguments filed on September 13, 2005 have been fully considered.

The Applicant states that the claims of the present invention are directed towards a different purpose and are not obvious in view of the prior art.

Examiner responds that as per *Ex parte Clapp*, 227 USPQ 972 (Bd Pat App & Int) "To support conclusion that claimed combination is directed to obvious subject matter, the references must either expressly or impliedly suggest claimed combination or the examiner must present a convincing line of reasoning as to why artisan would have found claimed invention to have been obvious in light of the references teachings.", the Examiner states the reference deals with the generalized problem of data management and error detection and therefore would be obvious to a person of ordinary skill in the art.

The previously indicated allowability of Claim 14 has been withdrawn in view of reconsideration of the Reboh et al. reference.

The Official Notice taken in claims 17-20 has been withdrawn.

See following rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reboh et al., (US Patent No 4,866,634) in view of Hedstrom et al. (US Patent 6,477,471).

As per claim 11,

Reboh et al. ('634) discloses a system for detecting abnormalities in input data to a financial risk management system, the system comprising:

a data processing server that receives a set of input data;(Column 4, lines 18-23)

a computer storage device for storing one or more historical values, each historical value representing a previous set of input data;(Column 4, lines 24-34)

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Reboh et al. ('634) does not explicitly disclose one or more central processing units calculating the likelihood that changes to the set of input data are the result of one or more errors. Hedstrom ('471) discloses one or more central processing units calculating the likelihood that changes to the set of input data are the result of one or more errors; (Figure 5, Column 4, lines 20-38 [estimating the number of defects etc...]) it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the Reboh et al method with Hedstrom ('471) method in order to generate a sufficient amount of data to achieve statistical accuracy.

As per claim 14,

Reboh et al. ('634) discloses a system for detecting abnormalities in input data to a financial risk management system, the system comprising:

- a data processing server that receives a set of input data;(Column 4, lines 18-23)
- a computer storage device for storing one or more historical values, each historical value representing a previous set of input data;(Column 4, lines 24-34)
- a graphical user interface (Column 4, lines 38-42)

The term "that displays a result based on the calculated likelihood that changes to the set of input data are the result of one or more errors" is a non-functional descriptive item. The term "that displays a result based on the calculated likelihood that changes to the set of input data are the result of one or more errors" could be replaced with other terms. i.e. "displaying a login screen", etc and not change the limitations of the claim. PTO's guidelines for examining claimed language require: the examiner must make a determination, whether the claimed invention "as a whole" would have been obvious at the time of invention to one of ordinary skill in the art. See MPEP 2142. In the pending claim, the examiner submits that particular language does not serve as a limitation on the claim. In other words **language that is not functionally interrelated with useful acts, structure, or properties of the claimed invention will not serve as a limitation**. See in re Gulak, 217 USPQ 401 (CAFC 1983), *ex parte Carver*, 227 USPQ 465 (BdPatApp& Int 1985) and *in re Lowry*, 32 USPQ2d 1031 (CAFC 1994) where language provided certain limitations because of specific relationships required by the claims

Reboh et al. ('634) does not explicitly disclose one or more central processing units calculating the likelihood that changes to the set of input data are the result of one or more errors. Hedstrom ('471) discloses one or more central processing units calculating the likelihood that changes to the set of input data are the result of one or more errors; (Figure 5, Column 4, lines 20-38 [estimating the number of defects etc...]) it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the Reboh et al method with Hedstrom ('471) method in order to generate a sufficient amount of data to achieve statistical accuracy.

As per claim 16,

Reboh et al. ('634) discloses the system of claim 11,

Reboh et al. ('634) does not explicitly disclose calculating the information content of the input data; and performing a statistical analysis of the calculated information content relative to the one or more historical values to determine the likelihood that changes to the input data are the result of one or more errors.(Figure 1)

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Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reboh et al., (US Patent No 4,866,634) in view of Masch (US Patent 5,930,762).

As per claim 12,

Reboh et al. ('634) discloses the system of claim 11,

Reboh et al. ('634) does not explicitly disclose the input data includes data feeds from one or more data processing systems. Masch ('762) discloses the input data includes data feeds from one or more data processing systems;(Column 2, lines 21-34) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Reboh et al method with the Masch ('762) method in order to generate a sufficient amount of data to achieve statistical accuracy.

As per claim 13,

Reboh et al. ('634) discloses the system of claim 11,

Reboh et al. ('634) does not explicitly disclose the input data includes data calculated by a financial risk management system. Masch ('762) discloses the input data includes data calculated by a financial risk management system;(Column 2, lines 21-34) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Reboh et al method with the Masch ('762) method in order to generate a sufficient amount of data to achieve statistical accuracy.

Allowable Subject Matter

Claims 15 and 17-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the examiner should be directed to John Winter whose telephone number is (571) 272-6713. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at (571) 272-6712.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to:

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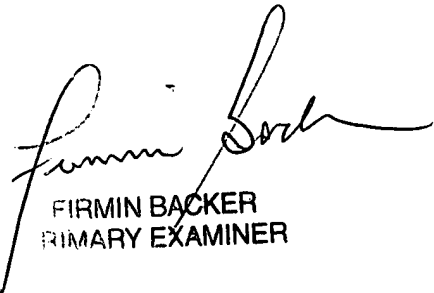
or faxed to:

(571) 273-8300 Official communications; including After Final communications labeled "Box AF"]

Hand delivered responses should be brought to the Examiner in the Knox Building, 50 Dulany St. Alexandria, VA.

JMW

February 8, 2006



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PRIMARY EXAMINER